

By: Senator(s) Nunnelee, Davis (1st), Lee
(35th), Blount, Chassaniol, Simmons

To: Appropriations

SENATE BILL NO. 3124

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2009.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 State General Fund not otherwise appropriated, to defray the
7 expenses of the Department of Public Safety for the fiscal year
8 beginning July 1, 2008, and ending June 30, 2009.....
9\$ 74,938,839.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Department of Public Safety for the
13 purpose of defraying the expenses incurred in the operation of the
14 various divisions of the department for the fiscal year beginning
15 July 1, 2008, and ending June 30, 2009.....\$ 46,709,282.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Sections 1 and 2, not more than the amounts set forth below shall
18 be provided for purposes of expenditure and authorized positions:

19 **DIVISION OF MISSISSIPPI HIGHWAY SAFETY PATROL**

20 FUNDING:

21 General Funds.....\$ 51,072,963.00
22 Special Funds..... 14,798,742.00
23 Total.....\$ 65,871,705.00

24 With the funds appropriated herein, it is the intention of
25 the Legislature that it shall be the agency's responsibility to
26 make certain that funds required to be appropriated for "Personal



27 Services" for fiscal year 2010 do not exceed the following
28 amount:.....\$ 54,746,234.00.

29 AUTHORIZED POSITIONS:

30	Permanent:	Full Time.....	856
31		Part Time.....	0
32	Time-Limited:	Full Time.....	99
33		Part Time.....	4

34 **DIVISION OF LAW ENFORCEMENT TRAINING ACADEMY**

35 FUNDING:

36	General Funds.....	\$ 587,606.00
37	Special Funds.....	<u>725,661.00</u>
38	Total.....	\$ 1,313,267.00

39 With the funds appropriated herein, it is the intention of
40 the Legislature that it shall be the agency's responsibility to
41 make certain that funds required to be appropriated for "Personal
42 Services" for fiscal year 2010 do not exceed the following
43 amount:.....\$ 870,122.00.

44 AUTHORIZED POSITIONS:

45	Permanent:	Full Time.....	20
46		Part Time.....	0
47	Time-Limited:	Full Time.....	0
48		Part Time.....	0

49 It is the intention of the Legislature that all funds
50 received as tuition fees, grants or donations by the Division of
51 Law Enforcement Training Academy shall be deposited in a special
52 fund in the State Treasury to be designated as "Law Enforcement
53 Officers' Training Academy Fees and Donations Fund." It is
54 further the intention of the Legislature that the Division of Law
55 Enforcement Training Academy may increase fees at any time to
56 offset any increases in operational costs.

57 **DIVISION OF SUPPORT SERVICES**

58 FUNDING:

59	General Funds.....	\$ 4,027,524.00
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60 Special Funds..... 191,002.00
 61 Total.....\$ 4,218,526.00

62 With the funds appropriated herein, it is the intention of
 63 the Legislature that it shall be the agency's responsibility to
 64 make certain that funds required to be appropriated for "Personal
 65 Services" for fiscal year 2010 do not exceed the following
 66 amount:.....\$ 3,513,477.00.

67 AUTHORIZED POSITIONS:

68 Permanent: Full Time..... 69
 69 Part Time..... 0
 70 Time-Limited: Full Time..... 1
 71 Part Time..... 1

72 **DIVISION OF CRIME LABORATORIES**

73 FUNDING:

74 General Funds.....\$ 6,636,086.00
 75 Special Funds..... 1,551,624.00
 76 Total.....\$ 8,187,710.00

77 With the funds appropriated herein, it is the intention of
 78 the Legislature that it shall be the agency's responsibility to
 79 make certain that funds required to be appropriated for "Personal
 80 Services" for fiscal year 2010 do not exceed the following
 81 amount:.....\$ 6,243,838.00.

82 AUTHORIZED POSITIONS:

83 Permanent: Full Time..... 90
 84 Part Time..... 0
 85 Time-Limited: Full Time..... 10
 86 Part Time..... 0

87 **DIVISION OF MEDICAL EXAMINER**

88 FUNDING:

89 General Funds.....\$ 127,704.00
 90 Special Funds..... 296,589.00
 91 Total.....\$ 424,293.00



92 With the funds appropriated herein, it is the intention of
 93 the Legislature that it shall be the agency's responsibility to
 94 make certain that funds required to be appropriated for "Personal
 95 Services" for fiscal year 2010 do not exceed the following
 96 amount:.....\$ 90,936.00.

97 AUTHORIZED POSITIONS:

98	Permanent:	Full Time.....	2
99		Part Time.....	0
100	Time-Limited:	Full Time.....	1
101		Part Time.....	0

102 **DIVISION OF PUBLIC SAFETY PLANNING**

103 **OFFICE OF PUBLIC SAFETY PLANNING**

104 FUNDING:

105	General Funds.....	\$ 452,956.00
106	Special Funds.....	<u>23,622,217.00</u>
107	Total.....	\$ 24,075,173.00

108 With the funds appropriated herein, it is the intention of
 109 the Legislature that it shall be the agency's responsibility to
 110 make certain that funds required to be appropriated for "Personal
 111 Services" for fiscal year 2010 do not exceed the following
 112 amount:.....\$ 1,438,435.00.

113 AUTHORIZED POSITIONS:

114	Permanent:	Full Time.....	10
115		Part Time.....	0
116	Time-Limited:	Full Time.....	17
117		Part Time.....	0

118 **DIVISION OF PUBLIC SAFETY PLANNING**

119 **OFFICE OF LAW ENFORCEMENT STANDARDS AND TRAINING**

120 FUNDING:

121	General Funds.....	\$ 0.00
122	Special Funds.....	<u>2,467,623.00</u>
123	Total.....	\$ 2,467,623.00



124 With the funds appropriated herein, it is the intention of
 125 the Legislature that it shall be the agency's responsibility to
 126 make certain that funds required to be appropriated for "Personal
 127 Services" for fiscal year 2010 do not exceed the following
 128 amount:.....\$ 360,336.00.

129 AUTHORIZED POSITIONS:

130	Permanent:	Full Time.....	7
131		Part Time.....	0
132	Time-Limited:	Full Time.....	0
133		Part Time.....	0

134 **DIVISION OF PUBLIC SAFETY PLANNING**

135 **BOARD OF EMERGENCY TELECOMMUNICATIONS**

136 FUNDING:

137	General Funds.....	\$	0.00
138	Special Funds.....		<u>573,631.00</u>
139	Total.....	\$	573,631.00

140 With the funds appropriated herein, it is the intention of
 141 the Legislature that it shall be the agency's responsibility to
 142 make certain that funds required to be appropriated for "Personal
 143 Services" for fiscal year 2010 do not exceed the following
 144 amount:.....\$ 134,074.00.

145 AUTHORIZED POSITIONS:

146	Permanent:	Full Time.....	3
147		Part Time.....	0
148	Time-Limited:	Full Time.....	0
149		Part Time.....	0

150 **DIVISION OF PUBLIC SAFETY PLANNING**

151 **COUNCIL ON AGING**

152 FUNDING:

153	General Funds.....	\$	0.00
154	Special Funds.....		<u>413,823.00</u>
155	Total.....	\$	413,823.00



156 With the funds appropriated herein, it is the intention of
 157 the Legislature that it shall be the agency's responsibility to
 158 make certain that funds required to be appropriated for "Personal
 159 Services" for fiscal year 2010 do not exceed the following
 160 amount:.....\$ 108,923.00.

161 AUTHORIZED POSITIONS:

162	Permanent:	Full Time.....	2
163		Part Time.....	0
164	Time-Limited:	Full Time.....	0
165		Part Time.....	0

166 **COUNTY JAIL OFFICER STANDARDS AND TRAINING BOARD**

167 FUNDING:

168	General Funds.....	\$	0.00
169	Special Funds.....		<u>366,976.00</u>
170	Total.....	\$	366,976.00

171 With the funds appropriated herein, it is the intention of
 172 the Legislature that it shall be the agency's responsibility to
 173 make certain that funds required to be appropriated for "Personal
 174 Services" for fiscal year 2010 do not exceed the following
 175 amount:.....\$ 52,335.00.

176 AUTHORIZED POSITIONS:

177	Permanent:	Full Time.....	1
178		Part Time.....	0
179	Time-Limited:	Full Time.....	0
180		Part Time.....	0

181 **OFFICE OF HOMELAND SECURITY**

182 FUNDING:

183	General Funds.....	\$	202,612.00
184	Special Funds.....		<u>786,769.00</u>
185	Total.....	\$	989,381.00

186 With the funds appropriated herein, it is the intention of
 187 the Legislature that it shall be the agency's responsibility to
 188 make certain that funds required to be appropriated for "Personal

189 Services" for fiscal year 2010 do not exceed the following
190 amount:.....\$ 893,565.00.

191 AUTHORIZED POSITIONS:

192	Permanent:	Full Time.....	12
193		Part Time.....	0
194	Time-Limited:	Full Time.....	4
195		Part Time.....	0

196 **BUREAU OF NARCOTICS**

197 FUNDING:

198	General Funds.....	\$ 11,719,180.00
199	Special Funds.....	<u>757,937.00</u>
200	Total.....	\$ 12,477,117.00

201 With the funds appropriated herein, it is the intention of
202 the Legislature that it shall be the agency's responsibility to
203 make certain that funds required to be appropriated for "Personal
204 Services" for fiscal year 2010 do not exceed the following
205 amount:.....\$ 10,494,896.00.

206 AUTHORIZED POSITIONS:

207	Permanent:	Full Time.....	185
208		Part Time.....	0
209	Time-Limited:	Full Time.....	1
210		Part Time.....	0

211 **JUVENILE FACILITY MONITORING UNIT**

212 FUNDING:

213	General Funds.....	\$ 112,208.00
214	Special Funds.....	<u>156,688.00</u>
215	Total.....	\$ 268,896.00

216 With the funds appropriated herein, it is the intention of
217 the Legislature that it shall be the agency's responsibility to
218 make certain that funds required to be appropriated for "Personal
219 Services" for fiscal year 2010 do not exceed the following
220 amount:.....\$ 111,344.00.

221 AUTHORIZED POSITIONS:



222	Permanent:	Full Time.....	0
223		Part Time.....	0
224	Time-Limited:	Full Time.....	2
225		Part Time.....	0

226 Any transfers or escalations shall be made in accordance with
227 the terms, conditions and procedures established by law or
228 allowable under the terms set forth within this act. The State
229 Personnel Board shall not escalate positions without written
230 approval from the Department of Finance and Administration. The
231 Department of Finance and Administration shall not provide written
232 approval to escalate any funds for salaries and/or positions
233 without proof of availability of new or additional funds above the
234 appropriated level.

235 No general funds authorized to be expended herein shall be
236 used to replace federal funds and/or other special funds which are
237 being used for salaries authorized under the provisions of this
238 act and which are withdrawn and no longer available.

239 **SECTION 4.** The Commissioner of Public Safety may, on a
240 case-by-case basis, within funds available, recommend that
241 corrective salary adjustments be made to the compensation of
242 employees of the Department of Public Safety where an inequity was
243 created between employees of equivalent capacity by previous
244 application of the agency appropriation acts. Any such corrective
245 salary adjustment plan must have prior approval by the State
246 Personnel Board. Such adjustments will not be retroactive.

247 Any funds in the Salary, Wages and Fringe Benefits major
248 object of expenditure may be used to purchase accumulated
249 compensatory time within funds available.

250 **SECTION 5.** The Commissioner of Public Safety shall have the
251 authority to transfer both positions and/or State General Funds
252 appropriated herein from any Division within the Department of
253 Public Safety to any other Division within the Department of
254 Public Safety, not to exceed twenty-five percent (25%).



255 **SECTION 6.** It is the intent of the Legislature that the
256 local governments pay for part of the computer cost of the
257 Mississippi Justice Information Center by maintaining their
258 contribution to the Department of Public Safety.

259 **SECTION 7.** It is the intention of the Legislature that the
260 Department of Public Safety designate certain employees to aid the
261 Division of Crime Laboratories in the billing and collecting of
262 all fees charged for services rendered by the Division of Crime
263 Laboratories.

264 **SECTION 8.** No part of the funds appropriated herein shall be
265 transferred to, expended by, or used, directly or indirectly, for
266 the benefit of any public relations, publicity or publication
267 activities of any other state agency, department or officer, nor
268 shall any personnel paid with funds appropriated herein be
269 transferred or assigned to any other state agency, department or
270 officer for public relations, publicity, or publication activities
271 of such office.

272 **SECTION 9.** It is the intention of the Legislature that the
273 Department of Public Safety shall have the authority to receive,
274 budget and expend funds from any source in accordance with the
275 rules and regulations of the Department of Finance and
276 Administration in a manner consistent with the escalation of
277 federal funds.

278 **SECTION 10.** It is the intention of the Legislature that the
279 Department of Public Safety shall not issue citations for
280 violations of speed limits on a quota basis. No funds expended
281 under this act shall be used for such quota-based citations for
282 violations of speed limits.

283 **SECTION 11.** The Commissioner of Public Safety shall have the
284 authority to transfer Department of Public Safety Special Funds
285 from any Division within the Department of Public Safety to any
286 other Division of the Department of Public Safety Special Funds,
287 including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714,



288 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Six
 289 Million Dollars (\$6,000,000.00) collectively during Fiscal Year
 290 2009. Further, the Department of Public Safety shall be
 291 authorized to escalate both funds and positions for any special
 292 fund monies received for Homeland Security.

293 **SECTION 12.** In compliance with the "Mississippi Performance
 294 Budget and Strategic Planning Act of 1994," it is the intent of
 295 the Legislature that the funds provided herein shall be utilized
 296 in the most efficient and effective manner possible to achieve the
 297 intended mission of this agency. Based on the funding authorized,
 298 this agency shall make every effort to attain the targeted
 299 performance measures provided below:

	FY09
<u>Performance Measures</u>	<u>Target</u>
Enforcement	
Increased Enforcement - Citations (%)	0.50
Decreased Fatalities (%)	-0.10
Increased DUI Arrests - Inc Felony DUIs (%)	0.50
Criminal Investigations (Actions)	10,074
Driver Services	
Driver's Licenses/ID Cards Issued (Items)	755,000
Cost per License Document Produced (\$)	9.15
Drivers Suspended (Persons)	185,000
Accident Reports Processed (Actions)	110,000
Motor Veh Inspect Stickers Sold (Items)	1,970,000
Support Services	
Training of Switch/Repository	
Classes (Number of)	30
Audit of User Agencies (Number of)	90
Emerg Telecomm Training	
Emerg Telecomm Certified (Persons)	550
Certification Transactions (Actions)	2,200
Training Quality Monitoring (Actions)	1,000



321	Forensic Analysis	
322	Reports Issued (Cases)	25,000
323	Court Testimonies (Cases)	250
324	Cost per Case Analyzed (\$)	480.00
325	Cost per Testimony (\$)	500.00
326	Dna Analysis	
327	Known Sex Offender Samples (Items)	7,200
328	Proficiency Samples (Items)	200
329	Casework Samples Examined (Items)	10,000
330	Cost per Sample (\$)	150.00
331	Training Academy	
332	Basic Students to Graduate (Persons)	150
333	Basic Refresher Students to	
334	Graduate (Persons)	30
335	In-service & Advanced Students	
336	to Graduate (Persons)	1,200
337	Drug Enforcement	
338	Arrests Made (Persons)	2,676
339	Number of Prosecutions (Actions)	2,991
340	Organizations Disrupted/Dismantled (Actions)	109
341	Forensic Pathology	
342	Deaths Investigated (Actions)	17,000
343	Autopsies Performed at SME Office (Actions)	1,700
344	Cost per Autopsy Performed (\$)	380.00
345	Jail Officer Training	
346	County Jail Officers Certified (Persons)	350
347	Certification Transactions (Actions)	700
348	Law Enforcement Training	
349	Basic Law Enforc Officers Certified (Persons)	575
350	Certification Transactions (Actions)	30
351	Training Quality Monitoring (Actions)	1,000
352	Public Safety Planning	
353	Statewide Programs Supported (Programs)	400



354	Juvenile Jail Alternatives Dev (Alternatives)	35
355	Narcotics Units Established (Units)	17
356	Drug-free Programs Impact (Persons)	100,000
357	Council On Aging	
358	Number of Board Meetings (Meetings)	4
359	Establish TRIAD Programs (Programs)	4
360	Conduct Training Programs (Programs)	10
361	Provide On-site Tech Assistance (Actions)	10
362	Juvenile Fac Monitoring Unit	
363	Number of Facilities Inspected (Items)	80
364	Strategic Plans Implemented (Items)	21
365	Homeland Security	
366	OHS Grants for Jurisdictions (Number of)	120
367	First Responder Classes (Number of)	600

368 A reporting of the degree to which the performance targets
369 set above have been or are being achieved shall be provided in the
370 agency's budget request submitted to the Joint Legislative Budget
371 Committee for Fiscal Year 2010.

372 **SECTION 13.** It is the intention of the Legislature that all
373 divisions within the Mississippi Department of Public Safety shall
374 maintain complete accounting and personnel records related to the
375 expenditure of all funds appropriated under this act and that such
376 records shall be in the same format and level of detail as
377 maintained for Fiscal Year 2008. It is further the intention of
378 the Legislature that the agency's budget request for Fiscal Year
379 2010 shall be submitted to the Joint Legislative Budget Committee
380 in a format and level of detail comparable to the format and level
381 of detail provided during the Fiscal Year 2009 budget request
382 process.

383 **SECTION 14.** Of the funds appropriated under the provisions
384 of Section 2, funds may be expended to defray the costs of
385 clothing for sworn nonuniform law enforcement officers in an



386 amount not to exceed One Thousand Dollars (\$1,000.00) annually per
387 officer.

388 **SECTION 15.** It is the intention of the Legislature that all
389 Fair Labor Standards Act (FLSA) nonexempt sworn officers who are
390 working 171 hours in a 28-day work cycle be compensated at an
391 hourly rate based on 2,087.143 hours per year. This section and
392 its provisions shall be known and cited as the "David R. Huggins
393 Act of 2002".

394 **SECTION 16.** It is the intention of the Legislature that
395 whenever two (2) or more bids are received by this agency for the
396 purchase of commodities or equipment, and whenever all things
397 stated in such received bids are equal with respect to price,
398 quality and service, the Mississippi Industries for the Blind
399 shall be given preference. A similar preference shall be given to
400 the Mississippi Industries for the Blind whenever purchases are
401 made without competitive bids.

402 **SECTION 17.** The department is authorized to expend available
403 funds on technology or equipment upgrades or replacements when it
404 will generate savings through efficiency or when the savings
405 generated from such upgrades or replacements exceed expenditures
406 thereof.

407 **SECTION 18.** Of the funds provided in Section 2, Two Hundred
408 Fifty Thousand Dollars (\$250,000.00) shall be derived from the
409 Tony Gobar Individualized Assessment and Comprehensive Community
410 Intervention Initiative (IACCII) Program, as provided by the
411 Department of Human Services, for juvenile justice programs.

412 **SECTION 19.** It is legislative intent to ensure beneficial
413 information reaches as many Mississippians as possible. Further,
414 it is legislative intent that the expenditure of public funds for
415 this purpose be accomplished in an efficient and effective manner.

416 Therefore, state agencies as standard procedure, will observe
417 the following criteria:

418 (a) Develop goals and desired result for a campaign.



419 (b) Evaluate effectiveness through respected
420 advertising standards, including market reach and cost
421 effectiveness.

422 (c) Seek public service announcements, which would be
423 aired by media without cost.

424 (d) Itemize and justify professional assistance and
425 related expenses for creative and production costs outside of the
426 actual media expenditures.

427 (e) Utilize Mississippi-owned media companies when
428 feasible.

429 **SECTION 20.** The money herein appropriated shall be paid by
430 the State Treasurer out of any money in the State Treasury to the
431 credit of the proper fund or funds as set forth in this act, upon
432 warrants issued by the State Fiscal Officer; and the State Fiscal
433 Officer shall issue his warrants upon requisitions signed by the
434 proper person, officer or officers, in the manner provided by law.

435 **SECTION 21.** This act shall take effect and be in force from
436 and after July 1, 2008.

